

The State Board of Education/State Board for Vocational Education held its regular meeting on Thursday, December 19, 2013, in the Cabinet Room of the John G. Townsend Building, Dover, Delaware.

Present were: Teri Quinn Gray, President; Jorge L. Melendez, Vice President; Gregory B. Coverdale, Jr.; G. Patrick Heffernan; Randall L. Hughes, II; Barbara B. Rutt; and Mark T. Murphy, Executive Secretary and Secretary of Education. Donna R. Johnson, who serves as the State Board's Executive Director, was also present.

Also in attendance were Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education;

David Blowman, Deputy Secretary of Education; Karen Field Rogers, Associate Secretary, Financial Reform and Resource Management; Michael Watson, Chief Academic Officer, Teaching and Learning; and Susan Haberstroh, Associate Secretary, Education Supports & Innovative Practices Branch.

Attending portions of the meeting in conjunction with agenda items: Patricia Oliphant, Sussex Academy, Kathy Kay, Sussex Academy, Janet Awers, Sussex Academy, Heather Foley, Sussex Academy, Mary Kate McLaughlin, Jen Nagourney, Melissa Spencer, John Carwell, Maureen Whelan, Ron Love, Rincon Romero, Julie Walls, Tara Faircloth, Ron Gough, Becca Wang, Qiquan Wang, Ping Wang Samantha Hawkins, Julia Hawkins, Chris Hawkins, Holly Hawkins, and Kelli Gehrke.

Also attending: Donna Mitchell, Professional Standards Board; Amber Cooper, Budget Office; G. Scott Reihm, Delaware Association of School Administrators; Michelle Mercorio, Innovative Schools; Kendall Massett, Delaware Charter School Network; Valarie Jones, New Moyer Academy; and Alison May.

Call to Order

President Gray presided over the monthly meeting and called the meeting to order at 1:01 p.m. She welcomed all guests to the State Board's monthly public meeting.

Approval of Agenda

The first order of business was approval of the agenda. Dr. Gray noted that the New Moyer Academy had requested time to make a presentation to the Board on its current progress and performance. In response to New Moyer Academy's request to remove that previously noticed presentation, the agenda was amended and posted on December 13, 2013. On December 18, 2013, it was requested to remove the Gateway Lab performance agreement from the action items under 5C1. Dr. Gray noted that there are other action items under 5C1 and only the performance agreement for Gateway is being removed.

A motion was made by Mr. Melendez to approve the agenda as amended. The motion was seconded by Mr. Heffernan and carried with the following vote recorded:

Ayes: Nays:

Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	

Approval of Minutes

Regular Meeting – November 12, 2013

The Board received a copy of the regular meeting minutes prior to the meeting. Dr. Gray asked if there were any changes or additions to the minutes. A motion was made by Mr. Coverdale to approve the minutes of the State Board regular meeting held on November 12, 2013 as presented. The motion was seconded by Mr. Melendez and carried with the following vote recorded:

Ayes: Nays:

Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	

Formal Public Comment

It was indicated that this was the time the Board set aside for formal public comment. President Gray announced that no one had signed up to address the Board.

State Board Business

School Bus Safety Poster Contest Winners

Ron Love, Education Associate for Pupil Transportation, explained that the statewide school bus safety poster contest was held in September to promote National School Bus Safety Week October 21-25, 2013.

The theme used this year was “At My Stop – You Stop!”. Mr. Love noted the five divisions: grades K-2, grades 3-5, grades 6-8, Special Education grades K-8 and CAD

(Computer Aided Drawing). The five winning posters at the State level were submitted to the National School Bus Safety Week Committee, for final judging at the National Association of Pupil Transportation Conference in Memphis, Tennessee.

A brief ceremony recognizing each child and their family was held and congratulations were extended to the follow winners that were present:

Division I (K-2)

Sofia Cooper

Grade 2

Nellie Hughes Stokes Elementary School

Caesar Rodney School District Teacher: Mrs. Wyatt

Parents: Tanya Saturnio & Kenny Cooper

Division II (3-5)

Becca Wang

Grade 5

Allen Frear Elementary

Caesar Rodney School District Teacher: Mr. Martin

Parents: Qiquan & Ping Wang

Division IV (Special Education K-8)

Hilario Romero-Rincon

Grade 5

Gallaher Elementary School

Christina School District Teacher: Ms. Walzl

Parents: Ms. Elizabeth Romero

Division V (CAD)

Samantha Hawkins

Grade 11

Sussex Technical High School

Sussex Technical School District Teacher: Ms. Gehrke

Parents: Christopher and Holly Hawkins

Mr. Love stated that he was very excited to announce that Samantha was also the national CAD winner.

Each student received a check on behalf of the Independent School Bus Contractors Association, a plaque from the Delaware Association of Pupil Transportation Officials, a tote bag from the Department's Pupil Transportation Office, a Delaware pin from Secretary Murphy and a drawstring backpack from the State Board of Education.

Mr. Love stated that the Division III winner was unable to attend. The Division III (6-8) winner was Ramiro Gonzalez, Grade 8 at Delmar Middle School. Mr. Gonzalez's teacher is Ms. Maloney and his Guardian is Ms. Harriet Alva.

Committee Reports from State Board Members

Mr. Hughes attended the recent press conference in the Laurel School District on school comprehensive safety and the first response portal. He also stated that the Board was provided with an article by the National Association of State Boards of Education (NASBE) on Delaware's comprehensive school safety program moving from practice to policy. District plans must be submitted by December 31st and training will be held from January through March.

Mr. Melendez attended the State Board workshop sponsored by NASBE on the policy roles for summer learning and deeper learning.

Mrs. Rutt participated in a conference call for the Gifted and Talented Task Force. The group plans to meet after the first of the year. She also attended the Board's retreat and the Delaware School Board Association (DSBA) Annual meeting. Nina Lou Bunting from the Indian River School District received the distinguished service award.

Mr. Coverdale attended the holiday event at Odyssey Charter and attended the Board's retreat.

Mr. Heffernan thanked Ms. Johnson for organizing and planning the Board's retreat. In addition to the retreat, he, along with Dr. Gray, attended the Reading Assist Core Conference. He stated there was a focus on early learning and the importance of getting ready for Kindergarten.

Dr. Gray provided a brief comment as a follow up of the Reading Assist Core Conference that the Board would be creating opportunities for reading excellence. In 2010, REL provided research to the State Board on the importance of teaching reading. The Board has expressed its interest in focusing on teaching reading as one of its initiatives for 2014.

Ms. Johnson attended the ECS Winter Forum and commented on the resources and discussions on education policy from the conference. She also attended the Achieve Conference as a member of the Delaware team to develop strategies on college and career readiness. Ms. Johnson participated in College Application Month and assisted students at Smyrna High School submit their applications.

Dr. Gray attended the Career and Technical Education Committee conference sponsored by the Southern Regional Education Board. The Governor of Kentucky hosted the meeting which focused on state policies for career pathways. The panel discussed using vocational skills for students with lower academic skills and the effectiveness of hands on learning. Dr. Gray announced that she would be speaking at the University of Delaware conference "Emphasizing the E in STEM: Best Practices in Engineering Education." The conference is scheduled for January 10, 2014.

Mr. Melendez pointed out an article he read on Common Core that contained many inaccuracies noting that the public is being misinformed. Ms. Johnson spoke of the

Board's workshop last year for local board members and education stakeholders that focused on Common Core to dispel misconceptions in Delaware. This year the Board will do a follow up workshop that will focus on Common Core implementation and assessment transition.

Secretary's Report, Review and Discussion

Secretary Murphy explained that in conversations on Common Core and Smarter Balanced we must communicate well. He thanked the Board for their support of education which was evident in their individual reports. Mr. Murphy provided the Board with some of the feedback from College Application Month noting that 84% of the students who filled out an application filled out more than one and 55% of those submitting applications would be the first in their family to attend college. To continue its support for "Getting to Zero" schools will receive assistance for students with financial forms and FAFSA.

Secretary Murphy announced that he has become a member of Chiefs for Change. He explained the consortium has been around for a few years and shared with the Board the vision and mission of Chiefs for Change. He provided the Board with a two-pager that outlined the mission of the organization. Mr. Murphy commented that he considers his membership a professional learning community for state education leaders.

Showcase of Innovative – Sussex Academy Charter School

Sussex Academy presented information regarding their cross curricular portfolio system. The portfolio provides a vehicle for students to collect artifacts of their work and then to reflect on their learning as part of their instructional focus on literacy.

Director of Curriculum and Instruction at Sussex Academy, Dr. Patricia Oliphant was joined by Janet Owens (Grade 8, Social Studies, Team Leader), Kathy Kay (Grade 7, Writing, Instructional Team), and Heather Foley (Grade 6, Reading Instructional Leadership Team)

Dr. Oliphant presented a gallery walk of what is happening at Sussex Academy that is showing a positive impact on student academic performance. She stated that there is an instructional focus for the school that has a literacy focus. The goal becomes having all students at Sussex Academy improving in their reading, writing and presentation skills across all content areas. Dr. Oliphant noted that this year the school was very fortunate to be considered a reward school. Last year 90.2% of the students met their reading growth target and 83.5% met their math growth target. In other content areas, 92.45% met or exceeded the standard in Social Studies and 96.43% met or exceeded the standard in Science. The school feels that the literacy focus has had a tremendous impact across all grades and content areas.

Dr. Oliphant stated that the three aspects of the program include portfolio; expeditionary learning or the project based approach to learning; and writing. Sussex Academy staff highlighted each of the aspects and the type of work and assignments the students are given.

Dr. Gray thanked Dr. Oliphant and her staff for the presentation. The Board recessed from 2:20 p.m. to 2:26 p.m.

Department of Education Regulations

Dr. Susan Haberstroh presented the Department's regulations.

275 Charter Schools (For Discussion)

The Secretary of Education is seeking the consent of the State Board of Education to amend 14 DE Admin. Code 275 Charter Schools. The amendments reflect revisions in the regulation regarding the administration of the new Performance Fund, as well as other amendments to align with specific Delaware Code revised during the 147th General Assembly.

The Board discussed the changes to the period for written and electronic public comment to better align with the requirement of holding a public hearing prior to the final CSAC report being issued yet still provide the public the opportunity to provide written comment between the time period of the final report and the final decision. There was discussion on when the written public comment period ends as well as the need for a period of time for the Board and Secretary to review the entire record. The Board expressed that they would like more details from the Department about this time frame. The other topic of revision in the regulation was the details regarding the Charter School Performance Fund established in code as a result of HB 165. There was discussion which raised the question of who makes the decision on approving the funding grants to charter applications, the timeline for those decisions, and the details being asked for in the application. The Board pointed out that the detail in the regulation is vague, especially without seeing a copy of the application or rubric that will be used to evaluate it. The Board pointed out that there seems to be many other questions that still needed to be answered regarding the details of this process. The Board questioned the use of language in the regulation involving the definition of "High Need School" and some verbiage regarding the action available or not available to applicants following the Department's decision on applications. Jennifer Nagourney and Melissa Spencer from the Charter School Office were present to respond to questions. Mary Kate McLaughlin, Department Chief of Staff, was also present and explained that the application and rubric are not part of the regulation. She stated that the Board would receive a copy of both prior to any final action on the regulation amendments. Dr. Gray explained that she would like the Department to follow up with the Board on two key areas by the January Board meeting: 1) The Board would like to see the application and rubric prior to action due to concerns regarding the alignment of the criteria and the intent of the process and 2) Clarification of

the criteria that will be used in assessing applications for the fund. This speaks to the Board's stewardship of the allocation of public funds which is a part of this process. The Board is not asking to review and approve the applications, but they want to be clear from a stewardship and obligation to public service to have a full understanding of the regulation being asked for approval that it meets the intent of the code.

Ms. Johnson will follow up with the Department on the clarification of the language in the regulation amendment to provide more detail than what is in Code, specifically regarding new applicants to Delaware, and stated that the Board would like to review both the application and rubric prior to taking action, with sufficient time to review the materials before taking action. In addition to clarification on the public comment and performance funding, the Board asked for a clarification of the definition of "high needs" with respect to its use in other areas currently. It was specifically questioned whether schools serving English Language Learners and Students with Special Needs would be considered high needs and eligible to apply for performance funds. At this time the language in the proposed regulation amendment would not include those groups.

910 Delaware General Educational Development (GED) Endorsement (For Action)

The Secretary of Education is seeking the consent of the State Board of Education to amend 14 DE Admin. Code 910 Delaware General Educational Development (GED) Endorsement. This regulation is being reviewed in order to provide greater access to a secondary credential assessment in Delaware. The new GED® Test to be initiated in January 2014 will only be computer based and will have an increased cost of \$120, up from \$75.00.

This revision aligns with the Department's focus of preparing Delawareans to be college and career ready. The use of multiple secondary credential assessments, in addition to the GED®, will permit adults without a high school diploma increased access to attaining a secondary credential for entry into post-secondary institutions, training opportunities and employment. Because the new GED® Test is computerized, the Official Practice Test and the 45 day waiting period between retests are no longer necessary and the elimination will allow for Delawareans access to credential faster and also reduces the administrative burden to the State.

Maureen Whelan, Director of Adult and Prison Education Resources, joined Dr. Haberstroh to respond to questions. Dr. Haberstroh stated that comments had been received and both were addressed.

A motion was made by Mr. Coverdale to consent to amend Regulation 14 Delaware Administrative Code 910 as presented. The motion was seconded by Mrs. Rutt and carried with the follow vote recorded:

Ayes: Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt

None.

The Board signed the appropriate Order.

Charter Schools

Jen Nagourney from the Charter Schools Office presented the charter school items.

Approval of Performance Agreements

It was explained that charter schools are required to develop new Performance Agreements that are aligned with the requirements in 14 DE Admin. Code 275 and to submit those Performance Agreements for approval to the Secretary and State Board of Education.

East Side Charter School, a renewing charter school, has submitted its new performance agreement dated October 1, 2013.

Dr. Gray noted that the school's 2011-12 overall academic rating was "does not meet;" the financial rating was "meets;" and the organizational overall rating was "meets."

The school has submitted an agreement that states that they will be rated Meets or Exceeds standard in all areas: Academic, Organizational, and Financial by 2014-2015.

A motion was made by Mr. Heffernan to approve East Side's performance agreement. The motion was seconded by Mr. Coverdale and carried with the following vote recorded:

Ayes: Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt

None.

Newark Charter School, a renewing charter school, has submitted its amended performance agreement dated November 19, 2013.

Dr. Gray noted that the school's current academic rating was "exceeds;" the financial rating was "meets;" and the organizational overall rating was "meets."

The school has submitted an agreement that states that they will be rated Meets or Exceeds standard in all areas: Academic, Organizational, and Financial by 2018.

A motion was made by Mrs. Rutt to approve Newark Charter School's performance agreement. The motion was seconded by Mr. Heffernan and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	

Las Americas ASPIRA Academy, a renewing charter school, has submitted its amended performance agreement dated December 19, 2013.

Dr. Gray noted that the school's overall academic rating was "does not meet;" the financial rating was "meets," and the organizational overall rating was "meets."

The school has submitted an agreement that states that they will be rated Meets or Exceeds standard in all areas: Academic, Organizational, and Financial by September 30, 2014.

A motion was made by Mr. Heffernan to approve Las Americas ASPIRA's performance agreement. The motion was seconded by Mrs. Rutt and carried with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	

The Delaware MET, a new charter school, has submitted a performance agreement dated November 15, 2013.

The school has submitted an agreement that states that they will be rated Meets or Exceeds standard in all areas: Academic, Organizational, and Financial by September 2017.

A motion was made by Mr. Heffernan to approve Delaware MET's performance agreement. The motion was seconded by Mrs. Rutt and carried with the following vote recorded:

Ayes: Nays:

Dr. Gray None.
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt

First State Montessori Academy, a new charter school, has submitted a performance agreement dated July 30, 2013.

The school has submitted an agreement that states that they will be rated Meets or Exceeds standard in all areas: Academic, Organizational, and Financial by September 2017.

A motion was made by Mr. Coverdale to approve First State Montessori's performance agreement. The motion was seconded by Mrs. Rutt and carried with the following vote recorded:

Ayes: Nays:

Dr. Gray None.
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt

The Board also had a discussion on mission specific goals in performance agreements of charter schools and changes that could be made due to modification requests of the charter schools. There was also discussion on data on schools prior to an amended performance agreement and how it should be considered.

Annual Reports from Charter Schools

The Charter School Office of the Department of Education presented the Annual reports submitted by Charter Schools in Delaware as required by Delaware Code. This year was

the first that schools were required to report on their performance as measured by the Performance Framework and address areas of innovation. Each school was required to present their report in a uniform format as detailed by the Department of Education. All schools submitted their reports on time and posted on the Charter website. Fifteen of the 21 charter schools were in compliance noting that six schools were out of compliance upon their initial submission on December 1st, but currently all schools are now in compliance with the requirements for submission of their annual report. They addressed any area that was not complete as soon as they were notified by DOE.

Ms. Johnson noted that the link to the academic and financial framework reports for each charter school is also on the charter website with the annual reports and linked in the eBoard agenda item. Ms. Nagourney explained that the organizational reports have not yet been published because the Department needs to finalize the companion methodology document for the organizational framework. These companion methodology documents have already been published for the academic and financial framework and are available on the website as well. She also explained how the Charter School Office reviews the results of each school's Performance Report with them each year. This started last year and also took place this year.

Monthly Charter Schools Update

Ms. Nagourney noted that three new schools, Early College High School, First State Military and Academia Antonia Alonso have a due date of February 15th for their performance agreement. This due date given to them in the letter approving the minor modification to delay their opening until the 14-15 school year which was granted last year.. Charter contract development is underway and the Board should receive a draft in about six to eight weeks. Ms. Nagourney also stated that the charter school office website is undergoing some revisions to make it more user-friendly. The first changes have already been made and were displayed for the Board to view.

Applications for new charter schools are due on January 2nd and the charter office expects about ten applications. They held a technical assistance training session for new applicants which was well attended and they received positive feedback from attendees.

Mary Kate McLaughlin, Department Chief of Staff, provided an update on the New Moyer Academy's corrective action plan. She addressed several questions and issues which were raised by the Board at the November meeting. The Department is currently reviewing the report that addresses New Moyer's curriculum and its lack of alignment with state standards. The Department is keenly aware that New Moyer's curriculum is not an approved curriculum and while the school is in its second year of its charter is receiving clear feedback and guidance regarding what is lacking in their curriculum alignment. It is anticipated that they will submit a modification request in this area and at that time it will be reviewed in a formal manner. The Department has received additional documents through their monitoring plan and are currently reviewing those materials and documents. She will report back to the Board after that review is completed. Last month the Board expressed that the 2012-13 academic reports were not available for review, but

they are now posted on the charter school website for Moyer and for all other charters as well. There was discussion the following month regarding a theft that has been reported and the Department has followed up using their internal process on this issue to determine whether or not the loss was jeopardizes the financial viability of the school and in this case it did not. The corrective action plans also addresses technical assistance to the school on reporting attendance and discipline issues. Currently with their discipline data for the 12-13 data they are not on track for the persistently dangerous designation, but continue to monitor this area and the school is aware that they need to provide a safe environment for students There Board inquired about the school's student application form. While they have addressed some of the items which were raised by the Board last month there is still information on their website regarding the school's requirement to meet with the principal before acceptance into the school which does not align with the law. There was a question about New Moyer's Performance Agreement, which was approved by the Board in September. At that time the agreement was accompanied by a Performance Report that included 11-12 data, however now the academic performance report no longer includes 11-12 data and only includes 12-13 data. Ms. McLaughlin confirmed that the official start of New Moyer's charter is 12-13 and any performance data prior to that date cannot be assigned to New Moyer Academy. Ms. McLaughlin commented that these issues would continue to be addressed as part of the correction action plan process.

Mrs. Rutt excused herself at this time due to a previous commitment.

Professional Standards Board

Dr. Donna Mitchell, Executive Director of the Professional Standards Board presented the PSB agenda items.

Regulation 1503 Educator Mentoring (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1503 Educator Mentoring. The regulation applies to the Comprehensive Induction Program for novice educators, pursuant to 14 Del.C. §1212. It is necessary to amend this regulation to revise definitions and include the newly designed Comprehensive Induction Program providing mentoring and establishing accountability and monitoring for implementation with fidelity.

A motion was made by Mr. Coverdale to approve amendment to Regulation 1503 of Title 14 of the Delaware Administrative Code. The motion was seconded by Mr. Heffernan and carried with the following voice vote recorded;

Ayes:	Nays:	Not Present at Time of Vote:
Dr. Gray	None.	Mrs. Rutt
Mr. Melendez		
Mr. Coverdale		
Mr. Heffernan		
Mr. Hughes		

The Board signed the appropriate Order.

Regulation 1517 Paraeducator Permit (For Discussion)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1517 Paraeducator Permit. The regulation applies to the issuance of a Paraeducator Permit, pursuant to 14 Del.C. §1205. It is necessary to amend this regulation in order to update and clarify some of the definitions, requirements and to update the application procedures. This regulation will also be on the Board's agenda next month for further discussion and the item will be presented for action at a future Board meeting.

Appeals and Reviews

Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board, provided the Board with an update on a recent appeal.

Adjournment

Ms. Johnson announced that the Governor's State of the State address was scheduled for January 23, 2014. There being no further business, a motion was made by Mr. Heffernan to adjourn the meeting. The motion was seconded by Mr. Melendez and carried unanimously. The meeting adjourned at 3:56 p.m.

Respectfully Submitted;

Mark T. Murphy, Executive Secretary
and Secretary of Education

An audio of the entire meeting is available on the State Board's website at:
<http://www.doe.k12.de.us/infosuites/ddoe/sbe/default.shtml>